

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ALBERTO AMBROSE,

Plaintiff,

- against -

THE MOUNT SINAI HOSPITAL and
MAXINE SHEPHERD,

Defendants.
-----X

ORDER

11 CV 2026 (KAM) (CLP)

On April 22, 2011, plaintiff Alberto Ambrose (“plaintiff” or “Ambrose”) filed this action against The Mount Sinai Hospital and Maxine Shepherd (collectively, “defendants”), alleging employment discrimination in violation of Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e et seq. Defendants filed an answer on June 17, 2011. On August 10, 2012, plaintiff filed an amended Complaint, which defendants answered on September 19, 2012.

On February 22, 2013, defendants submitted a letter to the Court stating that plaintiff “failed to comply with the Court’s Order, dated January 18, 2013, to provide supplemental responses to [d]efendants’ discovery demands by January 25, 2013.” (See Defs.’ 2/22 Ltr.¹). Defendants stated that as a result, they have been unable to conduct plaintiff’s deposition, and requested that the undersigned “address [p]laintiff’s non-compliance with the January 18 Order” at the next scheduled conference before the undersigned. (Id.)

On March 1, 2013, plaintiff submitted a letter in response, conceding that plaintiff failed to comply with this Court’s discovery deadlines, but stating that plaintiff has “now provided

¹Citations to “Defs.’ 2/22 Ltr.” refer to the letter filed by defendants, dated February 22, 2013.

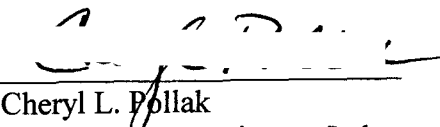
[d]efendants with all outstanding supplemental discovery.” (See Pl.’s 3/1 Ltr.² at 1). Plaintiff stated that as a result, there is “nothing to prevent counsel from deposing [p]laintiff during the month of March” as directed by the undersigned. (Id.)

Given the representations made in plaintiff’s March 1, 2013 letter, the parties are hereby Ordered to adhere to the discovery schedule set forth by the undersigned at the January 18, 2013 status conference.

The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

SO ORDERED.

Dated: Brooklyn, New York
March 4, 2013


Cheryl L. Pollak
United States Magistrate Judge
Eastern District of New York

²Citations to “Pl.’s 3/1 Ltr.” refer to the letter filed by plaintiff, dated March 1, 2013.